

PROCEEDINGS OF THE COMMON COUNCIL
IN Regular SESSION
Tuesday, December 5, 1972

CITY OF FORT WAYNE, INDIANA
Journal of the Proceedings
of the Common Council

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening, December 5th, A.D., 1972 in Regular Session. President John Nuckles in the chair, and Charles W. Westerman, Clerk, at the desk, present the following members _____ viz:
all Burns ✓, Hinga ✓, Kruse ✓, Nuckles ✓, Moses ✓,
Donald Schmidt ✓, Vivian Schmidt ✓, Steir ✓, Talarico ✓.
Absent _____: Councilman _____.

The invocation was given by Rev. Jon Carlstrom, Assistant at First Baptist Church on Fairfield.

Received report from the City Controller for the month of October, 1972.
Motion made and carried that report be made a matter of record and placed on file.

The minutes of the last regular November 14, 1972 session having been delivered to the Council, were, on motion, approved as published.

CLERK-TREASURER'S, CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL REPORT

MONTH OF OCTOBER 19 72

Described by State Board of Accounts FUND	TOTAL JAN. 1 BALANCE AND RECEIPTS TO DATE	RECEIPTS FOR MONTH		TOTAL BALANCE AND RECEIPTS TO DATE	DISBURSED TO DATE	DISBURSED FOR MONTH	DIS- BURSED FOR MONTH
		2	3				
GENERAL FUND	11684,156.63	845,031.69	12529,188.32	11688,234.10	896,355.85	1258	
HUMANE TRUST	11,521.91	583.00	12,104.91	2,220.00		520.80	
AVIATION	558,702.59	53,263.51	611,966.10	415,195.45	70,093.65	48	
PARK - GENERAL	2651,225.62	254,294.07	2905,519.69	2603,021.18	257,577.44	286	
PARK - TRUST	206,605.56	587.50	207,193.06	202,701.37		609.20	20
PARK-CUMULATIVE BUILDING	525,728.35	-0-	525,728.35	513,095.00		-0-	51
REDEVELOPMENT GENERAL	170,084.39	-0-	170,084.39	49,282.22	6,403.18	5	
REDEVELOPMENT DISTRICT CAPITAL	487,712.12	600.00	488,312.12	9,905.50		350.00	1
CENTRAL CITY CODE ENFORCEMENT	25,973.44	-0-	25,973.44	2,864.85		-0-	
CENTRAL CITY PARK LAND	12,380.60	-0-	12,380.60	4,639.00		-0-	
MOTOR VEHICLE HIGHWAY	1356,763.80	110,141.76	1466,905.56	1227,372.12	171,494.61	135	
PARKING METERS	442,283.66	11,267.43	453,551.09	387,207.09	13,790.67	40	
SEWER RELIEF	1358,571.09	46,000.00	1404,571.09	1358,835.97	37,431.10	135	
FLOOD PREVENTION & RIVER IMPROVEMENT	112,753.79	-0-	112,753.79	71,685.22	2,195.00	7	
PARKING GARAGE	70,606.83	7,207.42	77,814.25	54,961.62	15,023.83	6	
PUBLIC LIGHTING	71,021.31	-0-	71,021.31	67,657.42	1,319.08	6	
EXPRESSWAY	240,954.57	-0-	240,954.57	158,601.47	-0-	15	
ST. MARY'S RIVER IMPOUNDING	491,792.44	-0-	491,792.44	480,000.00	-0-	48	
LOCAL ROAD & STREET ACCOUNT	1073,660.84	135,497.48	1209,158.32	929,189.00	455.50	92	
OMNIBUS CRIME CONTROL	184,799.51	8,668.77	193,468.28	127,176.23	8,532.55	12	
FIRE PENSION	754,358.95	73,062.96	827,421.91	675,378.41	72,610.07	74	
POLICE PENSION	853,473.89	73,062.31	926,536.20	770,296.85	72,831.23	84	
SANITARY OFFICERS' PENSION	89,181.34	386.07	89,567.41	57,052.27	2,983.53	6	
FORT WAYNE ART INSTITUTE	16,669.75	-0-	16,669.75	16,585.54	-0-	1	
CUMULATIVE CAPITAL IMPROVEMENT	1180,456.60	-0-	1180,456.60	1162,559.54	34,473.08	119	
CITY-COUNTY BUILDING	61,123.17	-0-	61,123.17	27,600.67	1,725.78	2	
EMERGENCY EMPLOYMENT ACT (E.E.A.)	421,178.41	38,700.00	459,878.41	403,021.66	35,053.50	43	
PAYROLL	8968,204.76	893,908.70	9862,113.46	8959,968.89	867,678.27	982	
R-51 FORT WAYNE NAT'L	140,571.70	-0-	140,571.70	79,542.43	33,142.52	11	
R-51 DEPOSIT HELD-FT.WAYNE NAT'L	7,692.37	-0-	7,692.37	-0-	-0-		
R-51 ANTHONY WAYNE BANK	548,273.84	31,823.00	580,096.84	459,869.91	-0-	45	
R-52 LINCOLN NAT'L. BANK	170,028.74	-0-	170,028.74	101,588.40	24,550.06	12	
R-52 DEPOSIT HELD-LINCOLN NAT'L	212,775.32	30,250.00	243,025.32	210,000.00	-0-	21	
TOTALS							
ADJUSTMENTS (explain fully)							
BALANCE (Col 7 must agree with Col 8)							

CLERK-TREASURER'S, CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINA

MONTH OF OCTOBER 1972



THE CITY OF FORT WAYNE
office of the mayor

COMMUNICATION FROM THE MAYOR

November 14, 1972
To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, November 15, 1972, I have approved the following ordinances passed by the Common Council at its regular meeting on November 14, 1972.

(Bill No. A-72-10-15)
APPROPRIATION ORDINANCE NO. A-17-72

AN ORDINANCE appropriating and transferring funds within the 1972 Budget of the Board of Public Safety-Police Department.

(Bill No. A-72-10-16)
APPROPRIATION ORDINANCE NO. A-16-72

AN APPROPRIATION ORDINANCE transferring certain funds from 2-2-264, Computer Services to 97, Federal Venereal Disease Program.

(Bill No. R-72-11-15)
RESOLUTION NO. R-51-72

A RESOLUTION concerning applications for continuation of a Public Personnel Program to be funded through the Intergovernmental Personnel Act Program.

(Bill No. R-72-11-14)
RESOLUTION NO. R-50-72

A RESOLUTION transferring certain funds from Account No. 8-1-115h Salaries to Account No. 8-7-726h Other Equipment in the 1972 Budget of the Board of Public Safety-Fire Department.

(Bill No. R-72-11-13)
RESOLUTION NO. R-49-72

RESOLUTION authorizing payment for repairs to City-owned vehicle.

MADE A MATTER OF RECORD
DATE 12/5/72 CHARLES W. WESTERMAN, CITY CLERK
lsw

(Bill No. R-72-11-12)
RESOLUTION NO. R-48-72

RESOLUTION authorizing payment for repairs to City-owned vehicle.

(Bill No. R-72-11-11)
RESOLUTION NO. R-46-72

A RESOLUTION transferring certain funds from 2-2-264, Computer Services to 2-2-265, Weed Control within the 1972 Budget of the City Controller.

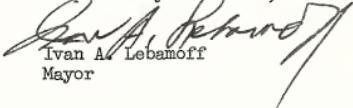
(Bill No. G-72-10-18)
GENERAL ORDINANCE NO. G-18-72

AN ORDINANCE amending Section 14 of the Zoning Ordinance of the City of Fort Wayne, Indiana, pertaining to Public Hearings on Multiple Family or Group Facilities in "RA" and "RB" Districts.

(Bill No. R-72-11-10)
RESOLUTION NO. R-47-72

A RESOLUTION transferring certain funds from Account No. 3-2-212 and Account No. 3-2-23 in the 1972 Metropolitan Human Relations Budget.

Respectfully submitted,


Ivan A. Lebamoff
Mayor



THE CITY OF FORT WAYNE

Office of the Mayor

November 16, 1972

Mr. John Nuckles, President
and Mr. Donald Schmidt,
Mr. William T. Hinga,
Mr. Eugene Kraus, Jr.,
Mr. Winfield Moses, Jr.,
Mr. James S. Stier,
Mr. Paul Burns,
Mrs. Vivian Schmidt,
Mr. Samuel Talarico,
Members of the Common Council
of the City of Fort Wayne

Gentlemen and Mrs. Schmidt:

I am returning for your reconsideration Bill No. Z-72-09-19
and Bill No. Z-72-09-22, both without my signature.

You are aware of my policy of not approving ordinances which
overrule the recommendation of the Plan Commission.

This procedure at least gives you the opportunity to reexamine
your position and compare it to the position of the Plan Commission
and I urge you to do so.

Sincerely,

Ivan A. Lebamoff, Mayor

IAL:ddc

cc: Charles W. Westerman City Clerk

MADE A MATTER OF RECORD
DATE 11/15/72 CHARLES W. WESTERMAN, CITY CLERK
CLW



THE CITY OF FORT WAYNE
office of city plan commission

November 28, 1972

COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto are the recommendations of the City Plan Commission on Four (4) ordinances concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinances are designated as:

Bill No. Z-72-11-03
Bill No. Z-72-11-05
Bill No. Z-72-11-07
Bill No. Z-72-11-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and Signed this
28th day of November, 1972.

George H. Roser
George H. Roser
Secretary

MADE A MATTER OF RECORD
DATE 11/5/72 CHARLES W. WESTERMAN, CITY CLERK

cc

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, Indiana

November 28, 1972

*Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802*

Gentlemen and Mrs. Schmidt:

Attached hereto are copies of resolutions pertaining to four (4) zoning ordinance amendments acted upon by the City Plan Commission at their regular meeting held November 27, 1972. In addition to the reasons outlined in the resolutions, the following are additional remarks pertaining to the ordinances involved.

1. Bill No. Z-72-11-03

- a. Intended Use: Beauty Shop
- b. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons.

- 1. The nature of existing land uses in this area have been restricted to uses permitted in an "R3" zoning classification.
- 2. The zoning classification petitioned for would not be compatible with the surrounding area.

2. Bill No. Z-72-11-05

- a. Intended Use: Small manufacturing and fabricating concerns.
- b. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons.

November 28, 1972

Bill No. Z-72-11-05 (Con't)

1. *This petitioned change currently serves as a residential buffer between the Industrial Development to the east and the residential to the west of this area.*
2. *This change would conflict with the existing land use plan which at the present time is high density residential.*

3. Bill No. Z-72-11-07

- a. *Intended Use: Home Oriented Service Center - includes furniture store, lighting fixture store, fireplace shop, etc.*
- b. *Plan Commission Recommendation: DO NOT PASS*
This ordinance received a DO NOT PASS recommendation for the following reasons:
 1. *This change conflicts with the existing Land Use Plan, that of low density residential.*
 2. *At the present time there are two shopping centers within the immediate area of this petitioned change and vacant zoned ground is currently available in those areas.*

4. Bill No. Z-72-11-08

- a. *Intended Use: Restaurant*
- b. *Plan Commission Recommendation: DO NOT PASS*
This ordinance received a DO NOT PASS recommendation for the following reasons:
 1. *This petitioned change conflicts with the existing Land Use Plan which is low density residential.*
 2. *Need has not been shown to zone additional property in this area to commercial.*

November 28, 1972

If there are any questions with regard to these ordinances, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

William J. Jones
William J. Jones
Director of Planning

WJJ:pr
Att.

CC: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 14, 1972, referred a proposed zoning map amendment to the City Plan Commission, which proposed ordinance was designated as Bill No. Z-72-11-03; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 20, 1972;

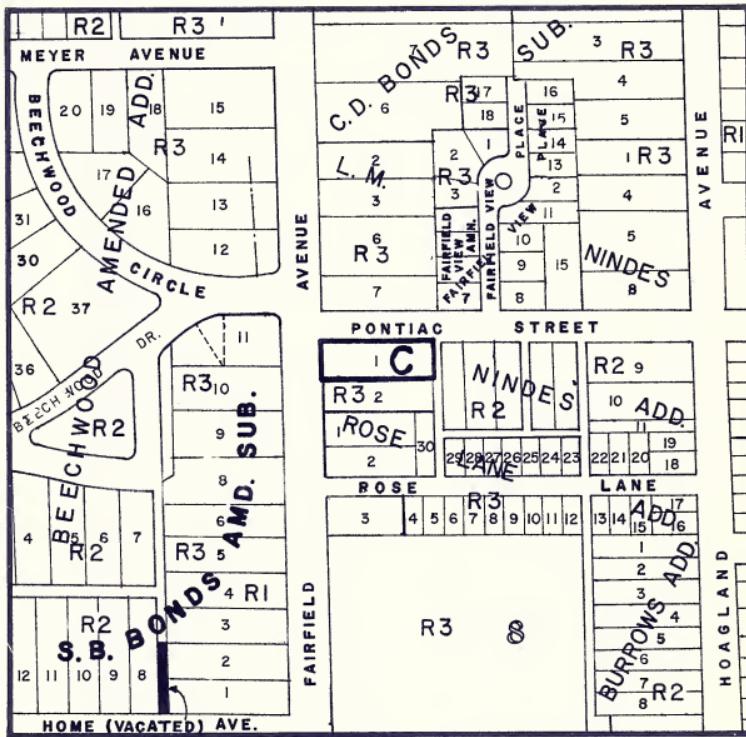
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 27, 1972.

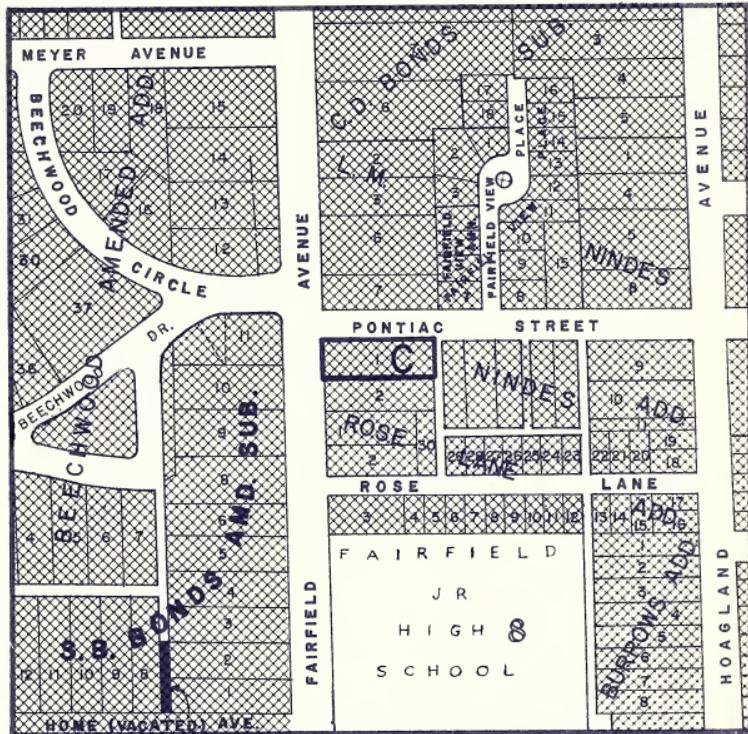
Certified and signed this
28th day of November, 1972.

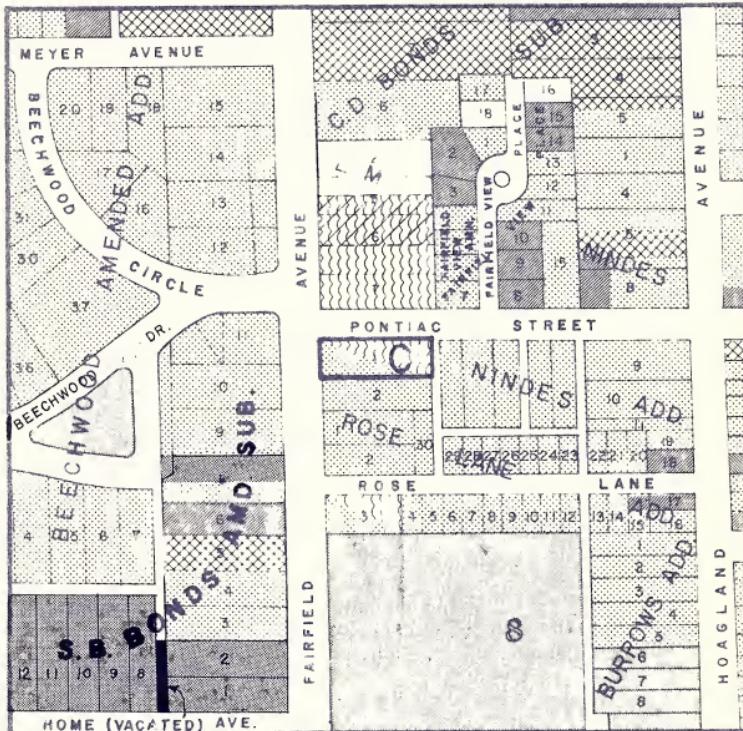
George H. Roser
Secretary



C CHANGE FROM R3 TO BIA

2-72-1103





2-72-11-03

EXISTING LAND USE MAP

-  — PUBLIC AND SEMI-PUBLIC
-  — ONE FAMILY RESIDENTIAL
-  — TWO FAMILY RESIDENTIAL
-  — MULTIPLE FAMILY RESIDENCE

-  — GENERAL BUSINESS

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 14, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-11-05; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 20, 1972;

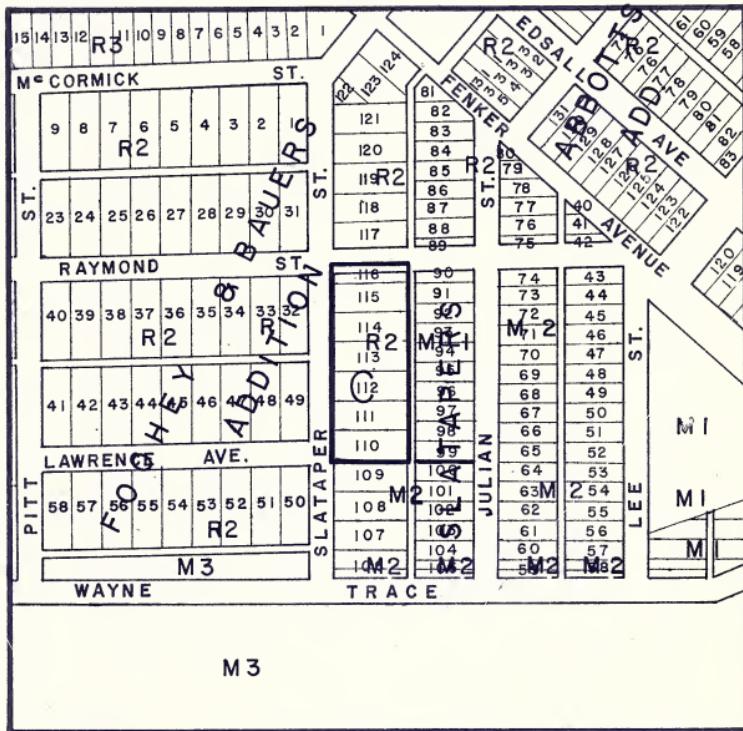
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BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

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Certified and signed this
28th day of November, 1972.

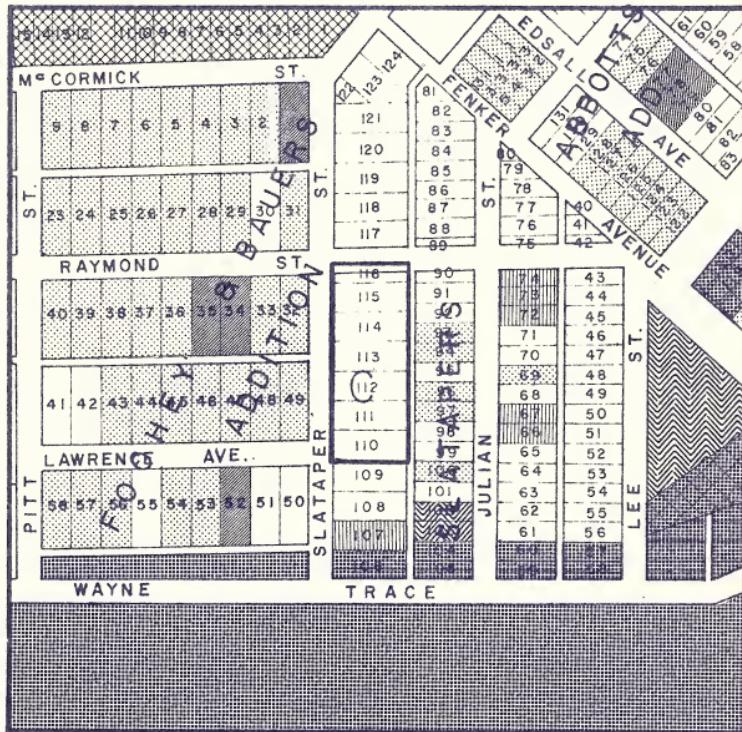
George H. Roser
Secretary



C CHANGE FROM R-2 TO M-2

Z-72-11-05

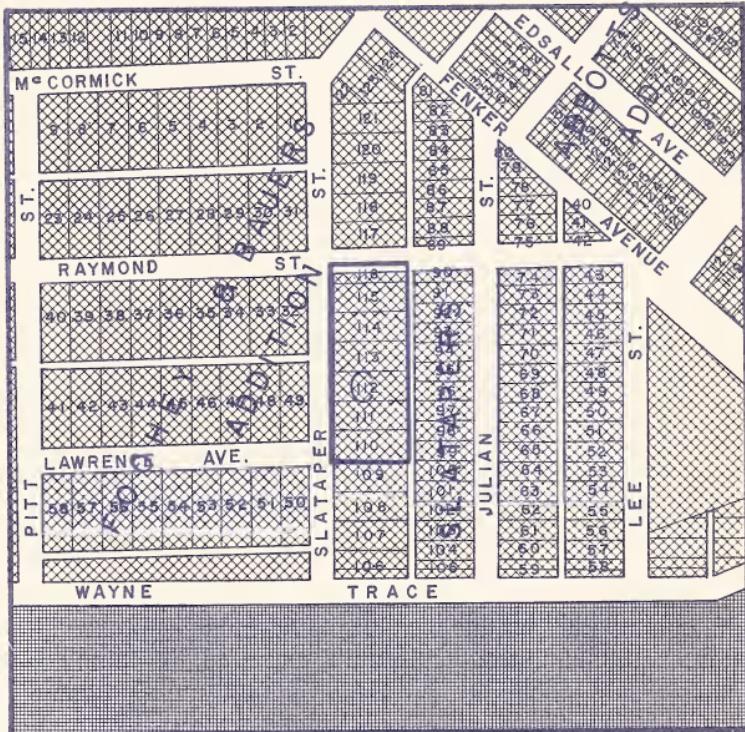




EXISTING LAND USE MAP

- LIGHT INDUSTRY
- LIMITED BUSINESS B
- RESIDENCE B
- ONE FAMILY RESIDENCE
- TWO FAMILY RESIDENCE
- MULTIPLE FAMILY RESIDENCE
- INDUSTRIAL-(WHOLESALING-WITH STRUCTURES)

2-72-11-05



PROPOSED LAND USE MAP

 — HIGH DENSITY RESIDENTIAL
 — INDUSTRIAL



Z-72-11-05

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 14, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No.Z-72-11-07; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 20, 1972;

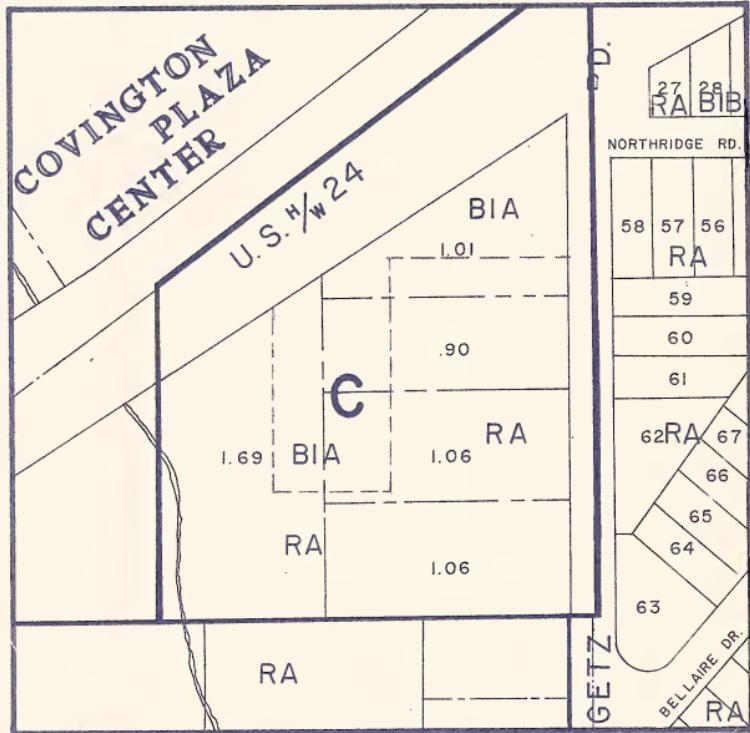
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 27, 1972.

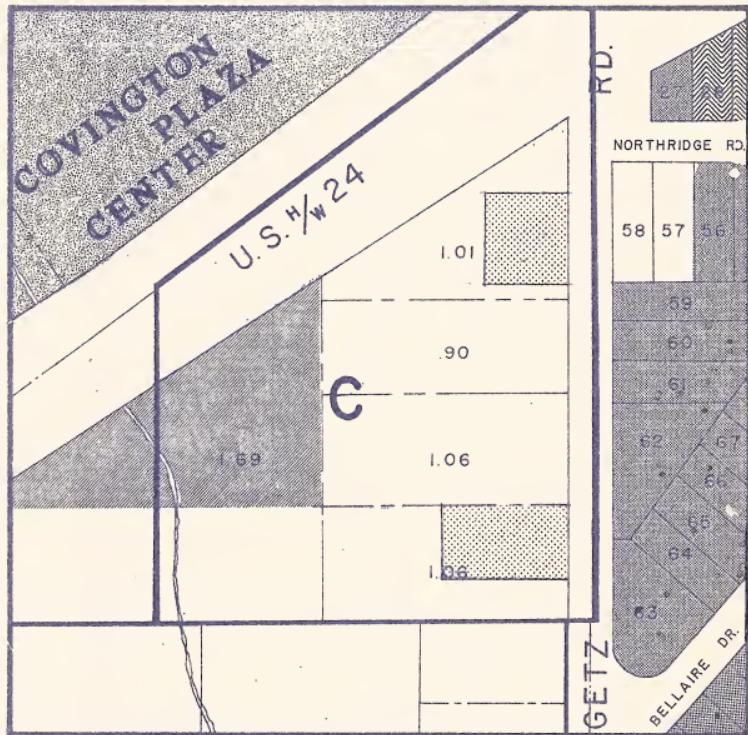
Certified and signed this
28th day of November, 1972.

George H. Roser
Secretary



C CHANGE FROM BIA&RA TO BIB

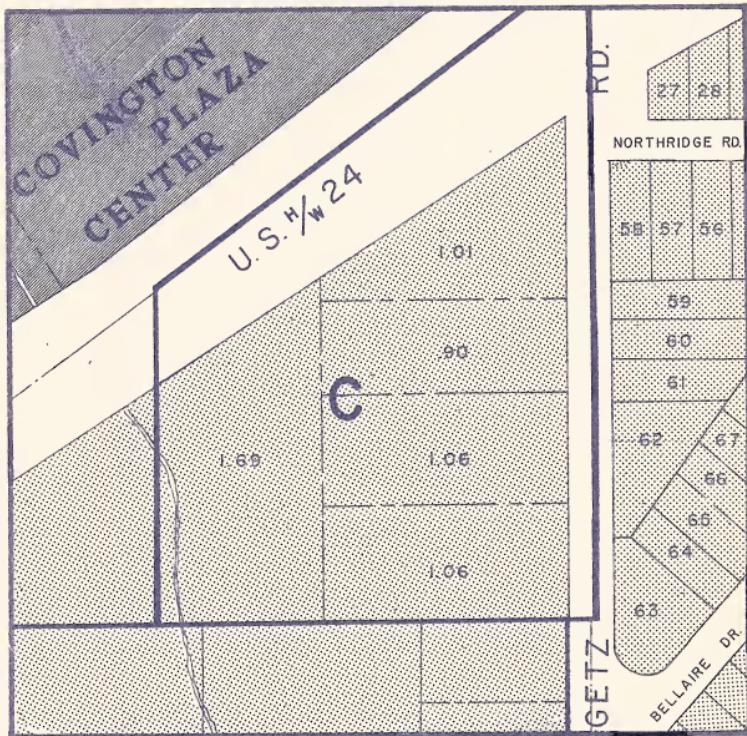
2-72-11-09



EXISTING LAND USE MAP

- ONE FAMILY RESIDENCE
- LOW DENSITY RESIDENTIAL
- GENERAL BUSINESS
- LIMITED BUSINESS B
- PUBLIC AND SEMI-PUBLIC

Z-72-11-07



PROPOSED LAND USE MAP

 — LOW DENSITY RESIDENTIAL

— COMMERCIAL

Z-72-11-07

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 14, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-11-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 20, 1972;

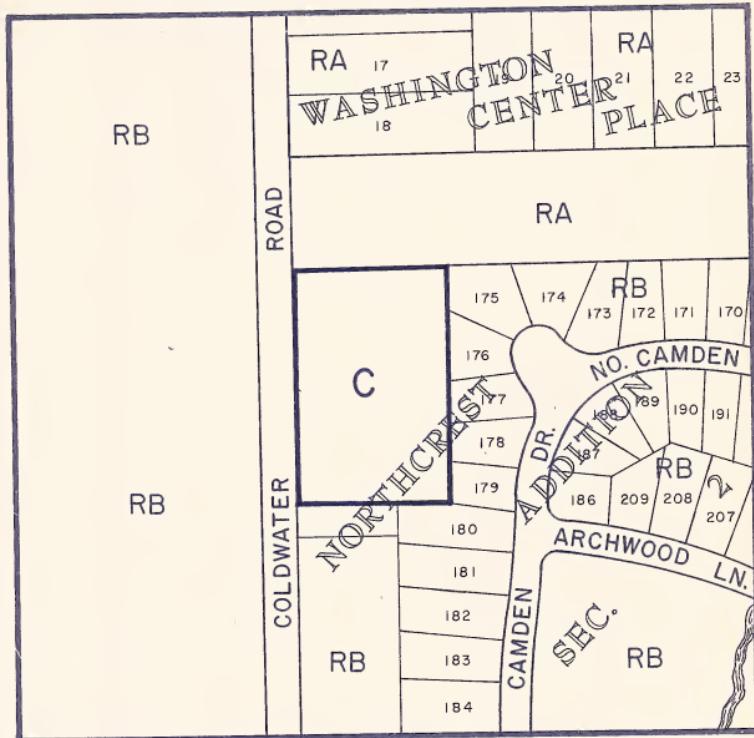
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 27, 1972.

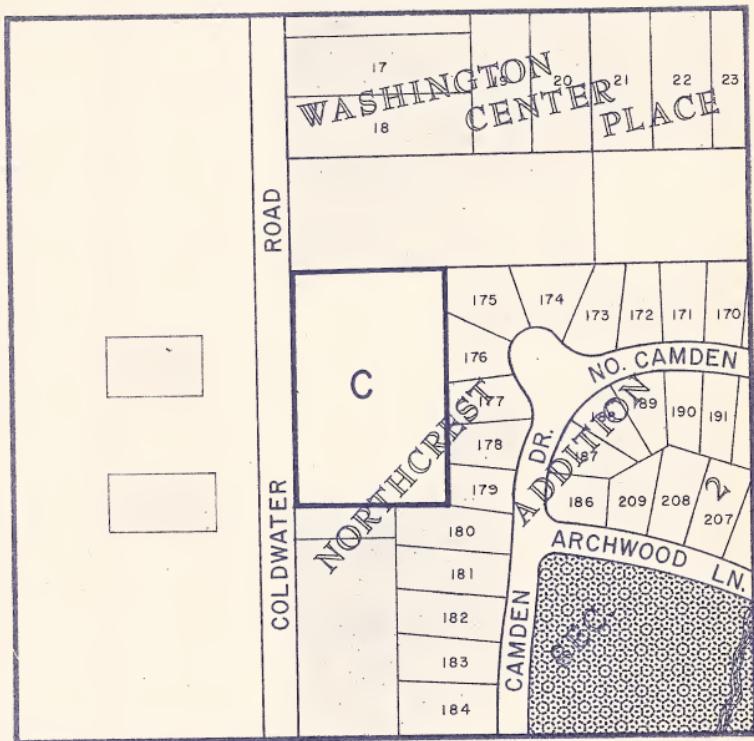
Certified and signed this
28th day of November, 1972.

George H. Roser
Secretary



C CHANGE FROM RB TO B3B

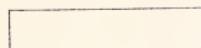
2-22-11-08



EXISTING LAND USE MAP

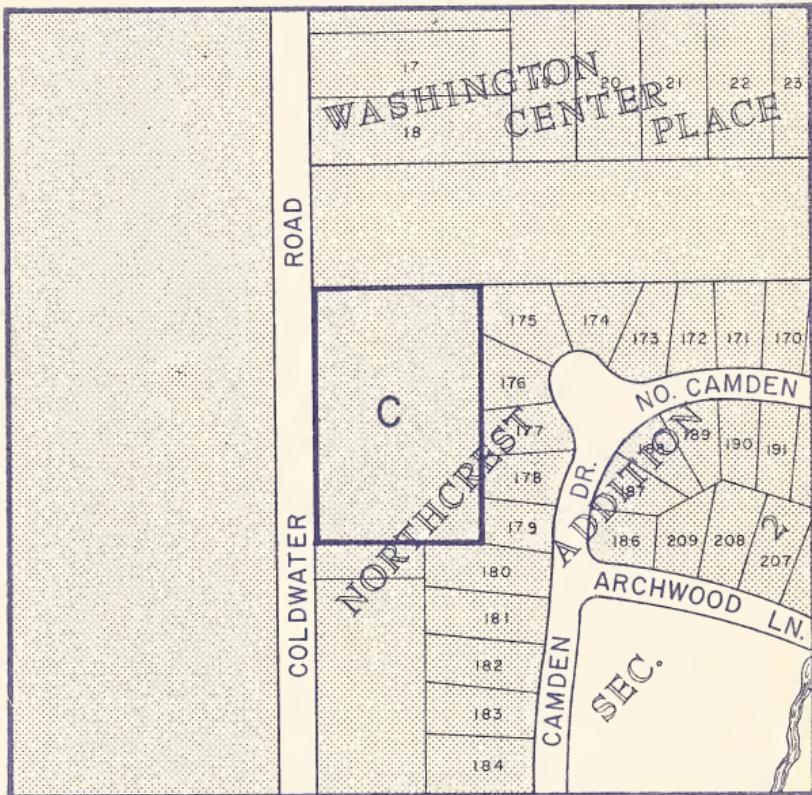
 — LOW DENSITY RESIDENTIAL

 — EDUCATIONAL

 — OPEN LAND

2-72-11-08
PAGE NO. B17

DATE/SEPT 6-72



PROPOSED LAND USE MAP

— LOW DENSITY RESIDENTIAL

— PUBLIC AND SEMI-PUBLIC

2-72-11-08

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 5th day of December, 1972; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 5th day of December, 1972.

Charles W. Westerman
City Clerk

SEAL